

UNITED STATES DISTRICT COURT  
FOR THE  
MIDDLE DISTRICT OF TENNESSEE

<b>STEVE HOWARD FLOWERS,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>Civil Action No. 2-11 0054</b>
	)	
<b>PUTNAM COUNTY, TENNESSEE;</b>	)	
	)	
<b>DAVID ANDREWS, Individually and In</b>	)	
<b>His Official Capacity as SHERIFF OF</b>	)	
<b>PUTNAM COUNTY, TENNESSEE;</b>	)	
<b>and JACKY FARLEY, Individually and In</b>	)	
<b>His Official Capacity as CHIEF DEPUTY</b>	)	
<b>OF PUTNAM COUNTY SHERIFF'S</b>	)	
<b>DEPARTMENT,</b>	)	
	)	
<b>Defendants.</b>	)	

**RESPONSE TO MOTION TO EXTEND DEADLINES**

Come the Defendant Putnam County, Tennessee, by and through counsel, and opposes Plaintiff's motion to extend deadlines.

This Court entered a Scheduling Order on July 29, 2011, which provided that all depositions should be completed by March 2, 2012. The dispositive motion deadline established by this Court is April 2, 2012. This case is scheduled for trial on August 21, 2012. All counsel in this matter agreed to the aforementioned deadlines.

Only after several phone calls was the deposition of the plaintiff set for February 28 , 2012. Attached to the forgoing motion is a copy of the letter to Mr. Brooks confirming the deposition date of the plaintiff. The plaintiff is not correct in his assertion that depositions in this case for started on March 28, 2012. The deposition of the Plaintiff was indeed taken on February 28, 2012.

In fact, the only deposition contemplated for February 28, 2012, was the deposition of the Plaintiff. To this counsel's knowledge, at no time did the Plaintiff's counsel ever discuss taking the depositions of the defendants Sheriff David Andrews and Chief Deputy Jackie Farley until immediately after the deposition of the Plaintiff as all counsel were still seated in the conference room. To this counsel's knowledge, this was the first request made. Attached is a letter from the Plaintiff's attorney with dates which he had available for Mr. Flowers' deposition. Nowhere in the letter did Plaintiff's counsel request the depositions of any witness and/or party.

The Plaintiff's counsel is also incorrect in his assertion that courtesies were not extended to him. The Plaintiff's counsel was given additional time to respond to Rule 26 Disclosures. Further, this counsel forwarded written discovery to the Plaintiff on October 31, 2011. This discovery was not answered until February 1, 2012, in spite of repeated requests for the Plaintiff to respond. (See attached discovery and responses). At no time was a Motion to Compel filed although the Defendant Putnam County was well within its rights to file the same.

This Defendant objects to any continuance in this case. Plaintiff's counsel has not submitted any interrogatories to these Defendants, nor did Plaintiff's counsel request depositions of any witness and/or party.

It is respectfully submitted that Plaintiff has not shown any cause to modify the scheduling order in this matter. It is respectfully submitted that to modify the scheduling order as requested by Plaintiff's counsel would result in prejudice to the Defendants and their ability to adequately prepare the appropriate dispositive motions as previously scheduled.

WHEREFORE, the Defendant Putnam County objects to any modification of the Court's Scheduling Order.

By: s/Jeffrey G. Jones

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**CERTIFICATE OF SERVICE**

I, Jeffrey G. Jones, hereby certify that on March 1, 2012, a true and exact copy of the foregoing was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. All other parties will be served by regular U.S. Mail. Parties may access this filing through the Court's electronic filing system:

Mr. Richard M. Brooks  
130 Third Avenue West  
Carthage, TN 37030

Mr. Daniel H. Rader, III  
Moore Rader Clift & Fitzpatrick, P.C.  
P.O. Box 3347  
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